

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Breitenbach, A., *et al.*
Serial No.: **10/523,908**
Filed: 28 January 2005
Title: HOT MELT TTS FOR ADMINISTERING ROTIGOTINE
Group Art Unit: 1615
Examiner: H.S. Ahmed
Confirmation No.: 9463
Docket No.: **6102-000075/US/NP**
Client Ref.: P/Br/I/5/02

SUBMITTED ELECTRONICALLY VIA EFS-WEB

17 January 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

This paper is in response to the Interview Summary mailed on 17 Dec 2010. This paper is timely filed within one month from the Interview date. In addition to the Examiner's summary, Applicant made the following points during the Interview:

1. Ulman provides no teaching or suggestion to arrive at Applicant's rotigotine free-base hot-melt TTS because Ulman is completely generic and provides no suggestion that rotigotine could withstand high temperatures. Thus, there is no teaching toward Applicant's Claim 28.
2. The Examiner's asserted motivation is in direct reference to unnamed hydrophilic drugs in Ulman, and rotigotine free-base is not a hydrophilic drug, therefore the asserted motivation rationale can not apply.
3. The Examiner has not addressed Applicant's unexpected results: Rotigotine is susceptible to oxidation, therefore no one expected rotigotine could withstand heat degradation to make a hot-melt TTS.

4. Applicant's rotigotine hot-melt patch is "in-and-of-itself" nonobvious because there are no prior art rotigotine hot-melt TTSs given that those of ordinary skill in the art at the time of the invention expected rotigotine to degrade at hot temperatures.
5. The Examiner has not presented a prior art hot-melt TTS for Applicant to distinguish over in the asserted 35 USC 103 rejection. Thus, rotigotine was not merely substituted into a hypothetical hot-melt TTS.

Respectfully submitted,
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/ Leanne M. Rakers /

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